

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**CARIN SHERMAN,**

Plaintiff,

v.

**CLACKAMAS COUNTY SHERIFF'S  
OFFICE,**

Defendant.

Case No. 3:21-cv-01005-HL

**ORDER**

**IMMERGUT, District Judge.**

On June 23, 2022, Magistrate Judge Andrew Hallman issued his Findings and Recommendation (“F&R”). ECF 27. The F&R recommends that this Court deny Defendant’s Motion to Strike; grant Defendant’s Motion to Dismiss as to Plaintiff’s § 1983 claim; negligent hiring and retention claim, and defamation claim; and deny Defendant’s Motion to Dismiss as to Plaintiff’s remaining claims, ECF 8. No party filed objections. For the following reasons, the Court ADOPTS Judge Hallman’s F&R in full.

**STANDARDS**

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*,” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

### **CONCLUSION**

No party having filed objections, this Court has reviewed the F&R and accepts Judge Hallman’s conclusions. The F&R, ECF 27, is adopted in full. This Court DENIES Defendant’s Motion to Strike; GRANTS Defendant’s Motion to Dismiss as to Plaintiff’s § 1983 claim, negligent hiring and retention claim, and defamation claim; and DENIES Defendant’s Motion to Dismiss as to Plaintiff’s remaining claims, ECF 8. Plaintiff shall be granted leave to amend her Complaint.

**IT IS SO ORDERED.**

DATED this 8th day of July, 2022.

/s/ Karin J. Immergut  
Karin J. Immergut  
United States District Judge